UNITED
NATIONS

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Security Council

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S/1999/575
18 May 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

(for the period from 15 November 1998 to 15 May 1999)

I. INTRODUCTION

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the last six months in pursuance of the mandate contained in Security Council resolution 350 (1974) and extended in subsequent resolutions, most recently resolution 1211 (1998) of 25 November 1998.

II. SITUATION IN THE AREA AND ACTIVITIES OF THE FORCE

2. During the period under review the ceasefire in the Israeli-Syrian sector was maintained without serious incident, and the UNDOF area of operation remained calm. The Force supervised the area of separation by means of fixed positions and patrols to ensure that no military forces were in it. UNDOF also carried out fortnightly inspections of armament and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed some restrictions on the Force's freedom of movement. UNDOF assisted the International Committee of the Red Cross with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population upon request.

3. On 1 April 1999, two Austrian soldiers travelling in a United Nations vehicle were shot at near Damascus from a car. The Syrian authorities are still investigating this incident.

4. Minefields in the area of operation, especially in the area of separation, continue to be a concern. On 6 April 1999, UNDOF, with the close cooperation of both Israeli and Syrian authorities, evacuated a Syrian shepherd, who was injured after stepping on a mine just west of the area of separation on the Israeli side. On 14 April 1999, UNDOF evacuated two children who had been

injured by a mine in the area of separation. When a UNDOF team examined the area, another mine exploded in a nearby field.

5. As of May 1999, UNDOF comprised 1,048 troops, from Austria (428), Canada (186), Japan (45), Poland (354) and Slovakia (35). By the end of May, Slovakian troops will be increased by 58 personnel, replacing the same number of Austrian troops. The Force was assisted in the performance of its tasks by 82 military observers of the United Nations Truce Supervision Organization (UNTSO). Major General Cameron Ross continued as Force Commander. A map showing the Force's deployment is attached.

III. FINANCIAL ASPECTS

6. By its resolution 52/236 of 26 June 1998, the General Assembly appropriated the amount of $35,400,100 gross for the maintenance of the Force for the period from 1 July 1998 to 30 June 1999. The assessment of the appropriation, which is equivalent to $2,950,008 gross per month, is subject to the Security Council's decision concerning the extension of the mandate.

7. The proposed budget for the maintenance of the Force for the period from 1 July 1999 to 30 June 2000 (A/53/779/Add.1) is currently under consideration by the General Assembly. Subject to the Assembly's decision, the cost of maintaining UNDOF, at its currently authorized strength, is estimated at $33,247,500 gross for the period of one year, plus an amount for the peacekeeping support account. Therefore, should the Council decide to extend the mandate of the Force beyond 31 May 1999, the cost of maintaining the Force will be limited to the amounts indicated above.

8. As at 30 April 1999, unpaid assessed contributions to the UNDOF special account for the period from the inception of the Force to 31 May 1999 amounted to $53.6 million. Total outstanding assessed contributions for all peacekeeping operations amounted to $1.6 billion.

IV. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 338 (1973)

9. In deciding in its resolution 1211 (1998) to renew the mandate of UNDOF for a further period of six months, the Security Council also called upon the parties concerned to implement immediately its resolution 338 (1973), and requested the Secretary-General to submit, at the end of the period, a report on the development in the situation and the measures taken to implement that resolution. The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement Security Council resolution 338 (1973) were dealt with in my report on the situation in the Middle East (A/53/550), submitted in pursuance of General Assembly resolution 52/54 of 9 December 1997.

V. OBSERVATIONS

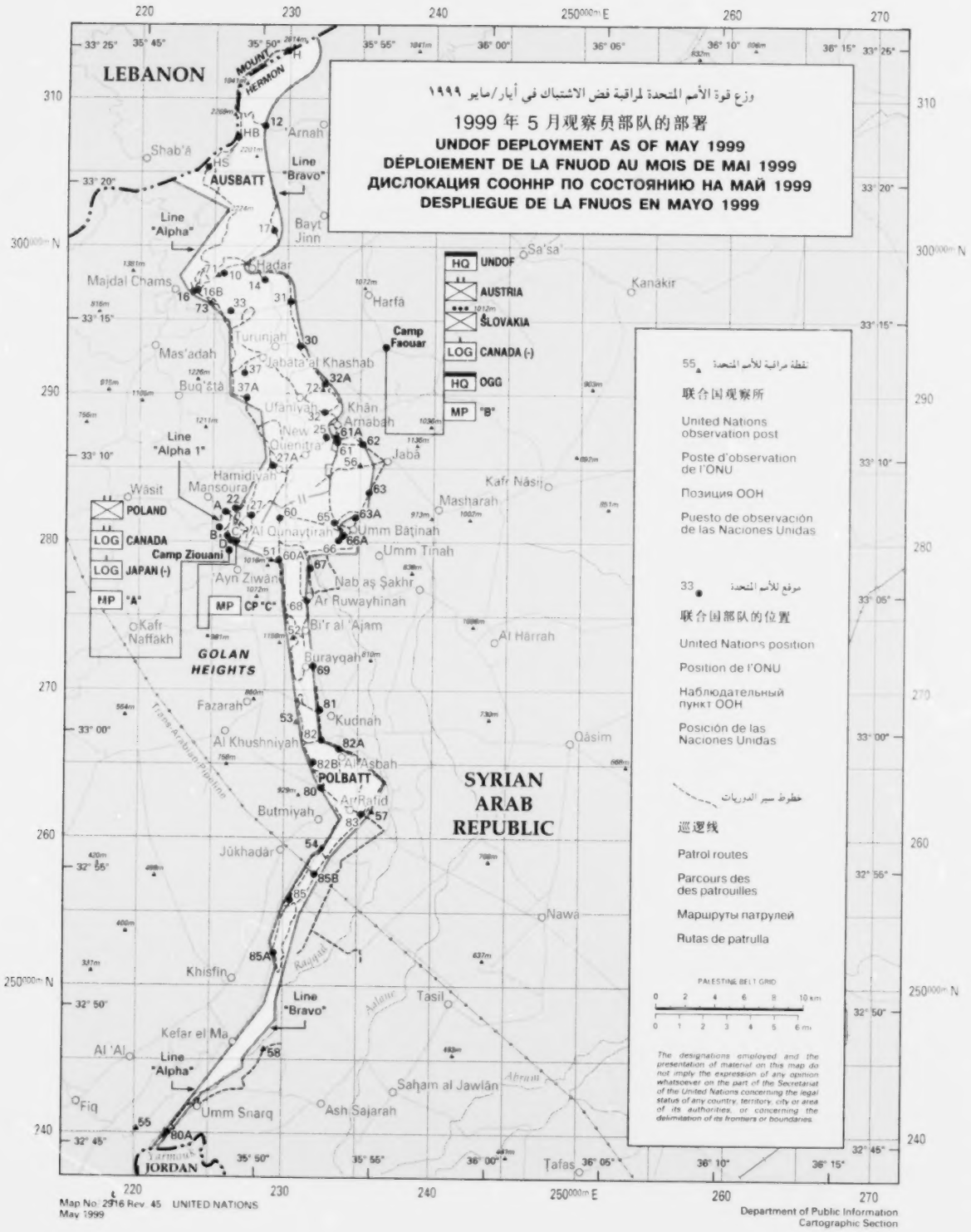
10. UNDOF, which was established in May 1974 to supervise the ceasefire called for by the Security Council and the agreement on disengagement between Israeli and Syrian forces of 31 May 1974, has continued to perform its function effectively, with the cooperation of the parties. The situation in the Israeli-Syrian sector has remained quiet and there has been no serious incident.

11. Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

12. In the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 30 November 1999. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

13. In making this recommendation, I must draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to some $53.6 million. This sum, far larger than the current annual budget of UNDOF, represents money owed to Member States that contribute the troops who make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears.

14. In conclusion, I wish to pay tribute to Major General Cameron Ross and to the men and women serving with UNDOF. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide the UNTSO military observers assigned to the Force.


وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في أيار/مايو ١٩٩٩
1999 年 5 月观察员部队的部署
UNDOF DEPLOYMENT AS OF MAY 1999
DÉPLOIEMENT DE LA FNUOD AU MOIS DE MAI 1999
ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА МАЙ 1999
DESPLIEGUE DE LA FNUOS EN MAYO 1999
LEBANON
SYRIAN ARAB REPUBLIC
JORDAN
GOLAN HEIGHTS
HQ UNDOF
AUSTRIA
SLOVAKIA
LOG CANADA (-)
HQ OGG
MP "B"
POLAND
LOG CANADA
Camp Ziouani
LOG JAPAN (-)
MP "A"
MP CP "C"
POLBATT
AUSBATT
Line "Alpha"
Line "Alpha 1"
Line "Bravo"
Camp Faouar
United Nations observation post
Poste d'observation de l'ONU
Позиция ООН
Puesto de observación de las Naciones Unidas
United Nations position
Position de l'ONU
Наблюдательный пункт ООН
Posición de las Naciones Unidas
Patrol routes
Parcours des des patrouilles
Маршруты патрулей
Rutas de patrulla
PALESTINE BELT GRID
The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers or boundaries.
Map No. 2916 Rev. 45 UNITED NATIONS
May 1999
Department of Public Information
Cartographic Section

UNITED
NATIONS

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Security Council

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GENERAL

S/1999/576
19 May 1999

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Taking note of the letter to the President of the Council from the Secretary-General dated 17 May 1999, attaching the letter to him from the President of the International Tribunal for Rwanda dated 14 May 1999 (S/1999/566),

Endorses the recommendation of the Secretary-General that Judge Aspegren, once replaced as a member of the Tribunal, finish the Rutaganda and Musema cases which he has begun before expiry of his term of office; and takes note of the intention of the Tribunal to finish these cases if possible before 31 January 2000.

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General Assembly
Security Council

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S/1999/577
19 May 1999

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GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 18 May 1999 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 14 May 1999 (A/53/959-S/1999/565), I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 14 and 16 May 1999.

On 14 May 1999, 17 military aircraft of the Turkish Air Force (12 F-16, 3 C-160, 1 CN-235, 1 B-200) entered the Nicosia FIR, violating international air traffic regulations.

The 12 F-16 aircraft violated the national airspace of the Republic of Cyprus flying over the area of Karpasia, before returning to the FIR of Ankara.

The 3 C-160 aircraft violated the national airspace of the Republic of Cyprus flying over the area of Karpasia, before exiting in a south-easterly direction.

The CN-235 violated the national airspace of the Republic of Cyprus flying over the area of the Cape of Apostolos Andreas, before returning to the FIR of Ankara.

The B-200 violated the national airspace of the Republic of Cyprus flying over the area of Mesaoria. The aircraft in question landed at 1332 hours at the illegal airport of Tymbou in the occupied area of the Republic, whence it departed at 1446 hours, returning to the FIR of Ankara.

On 16 May 1999, four F-16 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus flying over the area of Karpasia before exiting in a south-easterly direction.

As stated in my previous letters, these Turkish unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, they are in contravention of the provisions of the Security Council resolutions on Cyprus.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey, which demonstrate once more Turkey's blatant disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

I would like once again to underline that the present violations occurred after the adoption of Security Council resolutions 1217 (1998) and 1218 (1998), in which the Council called upon all States to respect the sovereignty and territorial integrity of the Republic of Cyprus and to refrain from any action which might prejudice that sovereignty, independence and territorial integrity. My Government expects that the Turkish side will show compliance with the provisions of those resolutions.

Such provocative actions are not conducive to reducing tension and run counter to the initiative of the Secretary-General announced on 30 September 1998, within the framework of his mission of good offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus.

Furthermore, the continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island, constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

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General Assembly
Security Council

Distr.
GENERAL

A/53/966
S/1999/578
19 May 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda items 20, 105 and 110
STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE
REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: QUESTIONS RELATING TO REFUGEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 19 May 1999 from the Permanent Representative of Eritrea to the United Nations addressed to the Secretary-General

I have the honour to transmit a press release issued today, 19 May 1999, by the Ministry of Foreign Affairs of the State of Eritrea on yet another violation of the human rights of 10,000 Eritreans and Ethiopians of Eritrean origin by the Ethiopian Government. My Government believes that the international community has the moral responsibility to help these innocent victims who are held hostage by the Addis Ababa regime.

I should be grateful if you would kindly circulate this letter and its annex as a document of the fifty-third session of the General Assembly, under agenda items 20, 105 and 110, and of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative

ANNEX

Press release issued on 19 May 1999 by the Ministry of Foreign Affairs of Eritrea

The Ministry of Foreign Affairs of the State of Eritrea has received conclusive evidence that the Addis Ababa regime has deprived about 10,000 Eritreans of their right to leave Ethiopia even though it has confiscated their property, frozen any bank accounts they may have had and otherwise deprived them of their right to a livelihood. This gross violation of the human rights of these Eritreans is yet one more example in a series of human rights crimes that have hitherto been committed by the Ethiopian regime against Eritreans and Ethiopians of Eritrean origin.

The Ministry of Foreign Affairs condemns this criminal and barbaric act by the Addis Ababa regime and demands the unconditional and immediate departure of these Eritreans to any place they may wish to go.

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Security Council

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GENERAL

S/1999/579
19 May 1999

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1212 (1998) of 25 November 1998, by which the Council decided to extend the mandate of the United Nations Civilian Police Mission in Haiti (MIPONUH) until 30 November 1999 "in order to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police, ... including mentoring Haitian national police field performance and strengthening the capability of the central directorate of the police force to manage aid provided to it from bilateral and multilateral sources". In that resolution, the Council requested me to report on the implementation of the resolution every three months from the date of its adoption until the expiration of the mandate of MIPONUH.

2. The present report covers the activities of MIPONUH and developments in the mission area since my report of 19 February 1999 (S/1999/181). As requested in paragraph 11 of resolution 1212 (1998), it also contains initial recommendations on a viable transition to other forms of international assistance for the consideration of the Council. These recommendations are based on the continuing consultations of my Representative in Haiti and the Head of MIPONUH, Julian Harston, with the group of the "Friends of the Secretary-General for Haiti", namely, Argentina, Canada, Chile, France, the United States of America and Venezuela, and, most importantly, with the Haitian authorities and the Haitian National Police.

II. POLITICAL SITUATION

3. During the period under review, there were several political developments in Haiti as efforts to reach a solution to the political impasse continued unabated. To this end, President René Préval held talks with the leaders of a coalition of opposition parties - the so-called espace de concertation - as well as with popular, business and labour organizations. My Representative, the Executive Director of the International Civilian Mission in Haiti (MICIVIH), the Resident Representative of the United Nations Development Programme (UNDP), the representatives of the "Friends of Haiti" and former President of Costa Rica

Oscar Arias also endeavoured to establish common ground between all parties concerned.

4. The Organisation du peuple en lutte (OPL) withdrew from the espace de concertation and the talks with President Préval at the end of February 1999 because of differences with the other members of the coalition. Following the assassination of one of its senators, Jean-Yvon Toussaint, on 1 March, OPL ruled out any possibility of returning to the negotiations. OPL continued to denounce President Préval's speech of 11 January, in which he declared that the terms of members of the National Assembly (with the exception of one third of the senators) and all the local authorities had expired, and characterized it as a coup d'état (see S/1999/181, paras. 3 and 4). OPL has so far failed to make its position on its participation in the forthcoming elections completely clear.

5. On 26 February, the Cour de cassation dismissed an action by members of Parliament challenging President Préval's declaration on the expiration of their mandate by deciding that it did not have the legal authority to rule on the dispute between the Parliament and the President. The parliamentarians have brought a further suit against President Préval on the same matter, which is still before the civil court in Port-au-Prince.

6. On 6 March, President Préval and the representatives of the espace de concertation reached agreement on the principles for the establishment of a new provisional electoral council (CEP) and a new government. On 16 March, the President appointed the nine members of CEP, including lawyers, doctors, members of the business sector and a former human rights activist. Four of the nine members belonged to previous provisional electoral councils. The members of CEP, who are charged with organizing new legislative and local elections, were sworn in by the Cour de cassation on 23 March. While some opposition parties challenged the legality of the selection process, the personal integrity of the members has not been seriously questioned.

7. On 25 March, the Prime Minister, Jacques-Edouard Alexis, announced his new Cabinet, composed of 15 ministers and 5 Secretaries of State. In addition to heading the new Administration, Mr. Alexis also holds the portfolio of Minister of Interior. Two key ministers of the previous Government were retained - the Minister for Foreign Affairs and the Minister of Finance. The three Secretaries of State, for Public Security, Youth and Sports and Tourism, were also reappointed. Mr. Alexis has called his Administration "transitional", and has said that its top priority would be the organization of legislative and local elections.

8. The members of the newly appointed CEP have pledged to consult with all political sectors, professional associations and civil society on the promulgation of a new electoral decree (as there is currently no Parliament to enact a law). Since its establishment, they have held talks with a number of political parties. However, Lafanmi Lavalas, former President Aristide's party, and OPL have so far declined to confer with them. It is imperative that this consultative process be undertaken with some urgency to allow for the holding of elections before the end of the year. At this time, there have been indications that the first round of elections will be held in November 1999.

9. Following a request from CEP for technical assistance from the United Nations, a member of the Electoral Assistance Division of the Department of Political Affairs visited Haiti on an electoral assessment mission from 27 to 30 April. As a result of his recommendations, UNDP will provide to CEP a technical team composed of a senior technical adviser and short-term consultants. UNDP will also provide a United Nations Volunteer to each of the 11 provincial electoral offices. The presence of other advisers, namely, an electoral focal point and three additional advisers to CEP in Port-au-Prince, is also under discussion. The ability of the United Nations to deploy electoral advisers and to provide additional electoral assistance to the Haitian Government if requested naturally depends upon the availability of funds from interested donors. CEP has received pledges of financial and logistical support from a number of bilateral and multilateral donors. My Representative has already established two committees, as recommended by the Electoral Assistance Division - a group of ambassadors to monitor the progress of elections and a technical task force to meet on a more regular basis to discuss day-to-day problems during the electoral period.

10. With respect to security, there have been some disquieting developments since my last report, including several demonstrations, blockades, strikes and violent incidents. A number of high-profile murders and attempted murders contributed to a perception of increased insecurity in the country. On 20 April, a member of a popular organization, Jeunesse Pouvoir Populaire, which is aligned with Lafanmi Lavalas, was shot dead, allegedly by police officers. Although the Haitian National Police has denied any involvement in the murder, the killing sparked riots with obvious anti-police overtones in Port-au-Prince over a period of some days. On 22 April, three former OPL deputies took refuge in the Embassy of Chile and subsequently left Haiti. One of them claimed that his house had been shot at and his car had been set on fire. The private sector and a number of organizations in civil society deplored the increase in insecurity and the violent street demonstrations. Some Government leaders have also spoken out publicly against the violence.

11. While individual incidents such as these come under the magnifying glass of a free media in Haiti and reports of both incidents and reactions may be exaggerated, it is clear that the security situation in Haiti has deteriorated - not only in the capital, but also in the provinces. The factors involved include economic desperation and political frustration. The general population is excluded from the formal economic process and feels excluded from the political process. Impunity, the result of a poorly functioning judicial system, means that there is little disincentive to criminal activity. Political manipulation of the situation has made it worse. Insecurity is likely to increase in the period leading up to elections unless responsibility is assumed and effective action and leadership to reduce it is exercised immediately. The unrest in Haiti appears to reflect tensions among the different political forces in the country. While the small fledgling Haitian police service can and will do its best to contain unrest and reduce tension, the main responsibility for easing this tension rests firmly in the hands of Haiti's political leaders, past and present.

III. DEPLOYMENT AND OPERATIONS OF THE UNITED NATIONS CIVILIAN POLICE MISSION IN HAITI

12. It will be recalled that in establishing MIPONUH, the Security Council decided that the Mission would be composed of up to 300 civilian police officers, including a 90-strong special police unit deployed along with the necessary support personnel, to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police. On 12 May, the civilian police element of MIPONUH included 280 officers from 10 countries (see annex).

13. The substantive police element remains deployed at Port-au-Prince and in all nine départements, and the special police unit is based in the capital. The training of the Haitian National Police continues along the lines established at the beginning of the Mission, and, in coordination with the MIPONUH mentoring (accompagnement) programme, remains the cornerstone of the Mission's contribution to the professionalization of the Haitian National Police. MIPONUH continues its close collaboration with the training department (Direction des écoles et de la formation) of the Haitian National Police and other international partners in order to provide uniform training.

14. Civilian police officers have continued to provide the Haitian National Police with training in its day-to-day work, including community policing, crowd control, judiciary-police relations, record-keeping and report-writing. Technical advice is also provided to the leadership of the Haitian National Police at the supervisory level. Civilian police officers continue to be assigned to the offices of the Director-General and the Inspector General. Close links have been developed during the reporting period between the crowd-control unit (Compagnie d'intervention et de maintien de l'ordre) and the United Nations Special Police Unit. As part of its mentoring of the field performance of the Haitian National Police, some 400 police officers are trained by civilian police personnel every week in different aspects of policing.

15. MIPONUH, in cooperation with the Haitian National Police, provided training on border monitoring through the Border Project (Projet bouclier) (see S/1999/181, para. 15). The Director-General of the Haitian National Police has indicated that close monitoring of the country's borders would be a priority during the forthcoming electoral campaign. The five Zodiac boats made available by MIPONUH are still used by the police in its work along the northern and southern coasts. Civilian police officers supervise the Haitian National Police in its use of the boats.

16. The Mission continues to coordinate its activities closely with those of UNDP and bilateral programmes, such as those of Canada, France and the United States of America. It also cooperates closely with MICIVIH in the monitoring of respect for human rights by the police force.

17. As previously reported to the Security Council, on 14 March an MI-8 helicopter carrying 6 members of the Argentine National Gendarmerie, as well as 7 members of the International Charter Incorporated helicopter company, was involved in an accident in which, tragically, all 13 people on board were killed. The helicopter was taking part in an operation to bring a seriously

injured person from Labadie, on the northern coast, to Port-au-Prince. The Government of Haiti is conducting an official investigation into the circumstances of the accident. A United Nations inquiry will follow.

IV. HAITIAN NATIONAL POLICE

18. The demonstrations and violent protests during the reporting period have placed even greater demands than usual on the Haitian National Police, which has performed in a professional manner. Three officers have been killed in the line of duty since February. Despite the additional pressure placed on the young police force, the Haitian National Police has remained politically neutral.

19. In the light of recent disturbances in the country, the Haitian National Police has taken measures to strengthen its community policing. It has increased its patrolling in tense areas of Port-au-Prince and has increased the frequency of meetings with local authorities. It has also begun to hold meetings with popular organizations in this regard.

20. Although the Haitian National Police has made considerable progress, reports of ill-treatment during arrests and interrogations persist. A top priority of the Inspector General remains combating the involvement of police in drug trafficking and other criminal activities. Since January, there have been 116 suspensions and 74 dismissals of police officers for misconduct.

21. The Haitian National Police has been the target of attacks from some political forces in what is believed to be a campaign to destabilize and undermine the police service. On 27 April, a director of Radio Ti Moun, a radio station closely associated with Lafanmi Lavalas, was arrested and accused of possessing defamatory leaflets against the Secretary of State for Public Security. Lafanmi Lavalas condemned his arrest as anti-democratic. He was subsequently released. My Representative has publicly expressed concern about any attempt to erode the political neutrality and effectiveness of the Haitian National Police.

22. President Préval has reappointed the Director-General of the Haitian National Police for another three-year term, which will help to provide continuity in the leadership of the police service. In order to ease tensions in Haiti, it is essential that an end be brought immediately to attempts to destabilize the Haitian National Police by attacking its leadership and, in particular, to the campaign to turn the junior ranks against the senior ranks.

23. A successor has yet to be appointed to the Director of the police judiciaire, who resigned in August 1998. The interim director is working closely with a committee, chaired by the Inspector General, charged with strengthening the police judiciaire. The committee has focused on three main areas for improvement - administration, operations and training.

24. On 4 May, 150 officers of the tenth class of cadets graduated from the National Police Academy. It is a measure of the progress of the Haitian National Police that this was the first group of cadets to have been largely trained by Haitian personnel. MIPONUH, in preparation for its departure, is

encouraging the Haitian National Police, in Port-au-Prince and the provinces, to assume greater responsibility for training its cadre. The Haitian National Police is now some 6,100 strong.

25. It will be recalled that pursuant to Security Council resolution 975 (1995) of 30 January 1995, a United Nations trust fund was established to enable Member States to make voluntary contributions to support the Haitian National Police. In its resolution 1212 (1998), the Council requested all States to contribute to the fund. With the consent of the donors, it is hoped that the balance of the fund (which for the most part was transferred to UNDP for the recruitment and deployment of police advisers to assist the Director-General, Inspector General and département headquarters and to finance the rehabilitation of commissariats throughout the country) can be rolled over to continue to provide support to programmes to contribute to the professionalization of the Haitian National Police, including addressing security issues related to the upcoming election period. I encourage all Member States to consider supporting this crucial aspect of Haitian institution-building through voluntary contributions.

V. JUSTICE SYSTEM

26. Regrettably, as I have noted in previous reports (see S/1999/181, para. 38 and S/1998/1064, para. 31), there has been little progress in the reform of the justice system. Judicial reform has not kept pace with the building of the Haitian National Police. There are major structural weaknesses in the system that undermine the rule of law and civil liberties. The absence of a properly functioning justice system remains the most significant obstacle to the effective protection of the human rights of all Haitians.

27. Camille Leblanc, a former human rights lawyer, was appointed as the new Minister of Justice on 25 March. In a press conference held on 20 April, the Minister of Justice and the Secretary of State for Public Security pledged to improve the administration of justice and public security over the next nine months. However, Mr. Leblanc noted that real judicial reform could not take place without the election of a new Parliament.

28. On 22 April, a ceremony was held to commemorate the fifth anniversary of the 1994 massacre in the Gonaïves neighbourhood of Raboteau. At that ceremony, the Minister of Justice indicated that the preparation of the prosecution's case against the defendants was well advanced and that a date for the trial would be announced within a month.

29. On 2 March, the Director of the Office of Prosecution and Follow-Up (Bureau de poursuites et suivi) issued a report on the activities of his office. According to the report, more than 58 million of the 60 million gourdes provided by the Government of Haiti to assist the victims of the coup d'état have been spent, mainly to finance social assistance programmes and to establish cooperatives and community stores. The Director stressed that his office would continue to provide legal assistance to the victims of the coup d'état.

30. On 1 April, an international consultant sponsored by MICIVIH began a second six-month period working as an administrative and financial consultant to the

office of the Ombudsman. UNDP continues to provide logistical and some financial support to the office. Lack of adequate financing remains the most significant impediment to the office's effective functioning. UNDP has also continued to provide technical assistance to the prison administration and is exploring opportunities to support judicial reform, in consultation with the Haitian authorities.

VI. DEVELOPMENT ACTIVITIES

31. The new Haitian administration has prepared a short-term action programme that focuses on the holding of free and fair elections on the one hand and on the immediate needs of the poorest parts of the population on the other. Given the difficult budgetary situation following the political and institutional crisis of the last two years, the Government would have to rely on the availability of funds from donors in order to move forward with the plan. However, the difficulty faced at present by most donors in formulating new programmes will certainly make the realization of the Government's aims problematic. Discussions are currently under way with donors to find a solution to this problem.

32. United Nations agencies have made significant progress in their individual activities while at the same time maintaining their common efforts. At a meeting chaired by the Resident Coordinator of the United Nations system (who is also the Deputy Representative of the Secretary-General), it was agreed to further consolidate this work in preparation for a common country assessment. This is a key step under the Secretary-General's reform programme for the creation of a United Nations Development Assistance Framework. This exercise will be undertaken in close cooperation with the Government of Haiti and representatives of the donor community. It will also complement the World Bank's country development framework. It is expected that the common country assessment will be completed by the end of the year. The United Nations agencies will thus have the elements to define a long-term development assistance programme for Haiti and to harmonize their interventions. Regular meetings of the United Nations Disaster Management Team have also been held in order to prepare for the hurricane season. This year, activity by the United Nations system in this area will benefit from a new financial and technical assistance project funded by UNDP that, in coordination with the Office for the Coordination of Humanitarian Affairs, would put into place a programme to reinforce the capacity of the Haitian authorities to prevent and manage disasters.

33. During the reporting period and in the framework of the rationalization of its programme in Haiti and the launching of its new programme of cooperation, UNDP has finalized four preparatory projects in the areas of governance, protection of the environment, productive employment and the prevention and management of disasters. UNDP, together with the United Nations Capital Development Fund, plans to finance an ambitious project to support local governance and to protect the environment in the north-eastern <u>département</u>.

34. Among the numerous other activities of the United Nations system during February and March, the following were noteworthy: the organization by the

United Nations Population Fund (UNFPA), representing the Joint United Nations Programme on HIV/AIDS (UNAIDS), of a visit by UNAIDS Geneva and the launching of a programme funded by UNAIDS that focuses on the transmission of the disease from mother to child; the launching by the United Nations Children's Fund (UNICEF) of a national programme for salt iodization; the signature of an important agreement between the Haitian Government and the Food and Agriculture Organization of the United Nations to promote sustainable agriculture and soil and water conservation in mountain areas; the launching in January by the World Food Programme of its school canteen project, which is expected to benefit 120,000 children; the formation of a working group on maternal mortality by the World Health Organization/Pan-American Health Organization, UNFPA and UNICEF to provide support to the Ministry of Public Health on this issue; and the organization by the United Nations Educational, Scientific and Cultural Organization (UNESCO) of the third mixed commission Haiti-UNESCO, which enabled the two parties to take stock of existing cooperation and to study new programmes, while at the same time mobilizing the international community on the urgent question of education in Haiti.

VII. OBSERVATIONS

35. The steps taken towards resolving the protracted and destructive political crisis that had left Haiti without a Prime Minister or a functioning Government for 21 months are encouraging. It is now essential that all relevant political actors in Haiti participate constructively in the electoral process so as to ensure that the upcoming elections are fair, transparent and credible. It is the responsibility of all Haitian political leaders to work together to ensure that these elections will be a success. By definition, this requires that the electoral process be kept free of violence. I hope that the country's political leaders will preserve the spirit of compromise that led to the end of the political stalemate and that the period leading to elections will be inclusive, seeking to involve all Haitians in the process.

36. CEP will face a number of challenges in organizing the parliamentary and local elections before the end of 1999. A sustained effort by Haitian political leaders is essential to overcoming these challenges. In the absence of a functioning Parliament, it is of the utmost importance that an electoral decree be issued and the election dates be announced without delay. International technical, material and logistical support for CEP is also vital for the credibility and transparency of the electoral process, and I call upon interested Member States to provide support. A positive response to the request from the Haitian Government for electoral advisers to CEP is required in order to facilitate the electoral process.

37. In view of the likely increase in security concerns in the period leading to the legislative and local elections, the Haitian Government has requested assistance from the United Nations and the international community to assist the Haitian National Police to ensure a secure environment during the election period. The Director-General of the Haitian National Police submitted a report for this purpose and indicated that assistance would be required in five main areas: communications, logistics, infrastructure, computers and matériel. As noted above, a secure and stable environment is a precondition for a free and

fair electoral campaign. It is essential, therefore, that the Haitian National Police continue to receive international support during this critical period from interested Member States.

38. Furthermore, concern has been expressed in some quarters that withdrawing MIPONUH during the election period might undermine security at a particularly sensitive moment.

39. In its resolution 1212 (1998), the Security Council requested me to present recommendations on a viable transition to other forms of international assistance. It is my firm belief that the Government of Haiti itself must prepare to assume full responsibility for the further strengthening and effective functioning of the Haitian National Police. In consultation with my Representative, the Haitian National Police is developing a two-year technical assistance programme designed to provide the fledgling police service with the expertise to carry out training and institution-building and to ensure the necessary continuity to the efforts of MIPONUH following the termination of the Mission. The programme currently under way foresees the recruitment of international police advisers to work not only in Port-au-Prince, but also in all nine départements. The preparation of the programme is being undertaken in consultation with UNDP and interested bilateral donors involved in the training and professionalization of the Haitian National Police, including the International Criminal Investigative Training Assistance Programme of the United States, the Canadian International Development Agency-Royal Canadian Mounted Police and the French bilateral programme.

40. With this preparation, the Haitian National Police should be able to take advantage of the aid which, I hope, will continue to be offered by multilateral and bilateral donors. Resolution 1999/4 adopted by the Economic and Social Council on 7 May, seeks to develop, in consultation with the Government of Haiti, a long-term programme of support to the country. It is hoped that this would complement the gains made over the last year in the coordination of the work of the United Nations system in Haiti, as envisaged in my reform programme. I am confident that, prior to the expiration of the MIPONUH mandate, my Representative and the Resident Representative of UNDP will be able to contribute to the creation of a coordinating mechanism for international assistance to the Haitian National Police that will satisfy donors and enable the international community to monitor the considerable investment made in this young institution over the past four years. The continued efforts of the "Friends of Haiti", both in Port-au-Prince and in New York, along with other leading bilateral and multilateral donors, will be essential for the establishment of an appropriate mechanism to bring together security and development.

41. In my next report on MIPONUH, in August, I intend to provide a detailed account of the progress made in developing a sustainable programme of support for the Haitian National Police within the wider framework of international support for Haiti. Clearly, the position of the Government of Haiti will determine the nature of any such framework.

42. Much progress has been made in building a reliable and professional police service in Haiti. However, it must be remembered that the effectiveness of a

police service depends not only upon its technical capacity, but also upon the political and social climate within which it operates.

43. The reform of the justice system, which should complement the institutional development of the Haitian National Police, has been impeded by a lack of political will. I urge the Haitian authorities to take concrete measures in the area of judicial reform and to take full advantage of the international assistance that has been provided in this regard.

44. I take this opportunity to recognize the important assistance that the programmes of Canada, France and the United States have provided to the Haitian National Police. Their continued efforts will be needed after the withdrawal of MIPONUH.

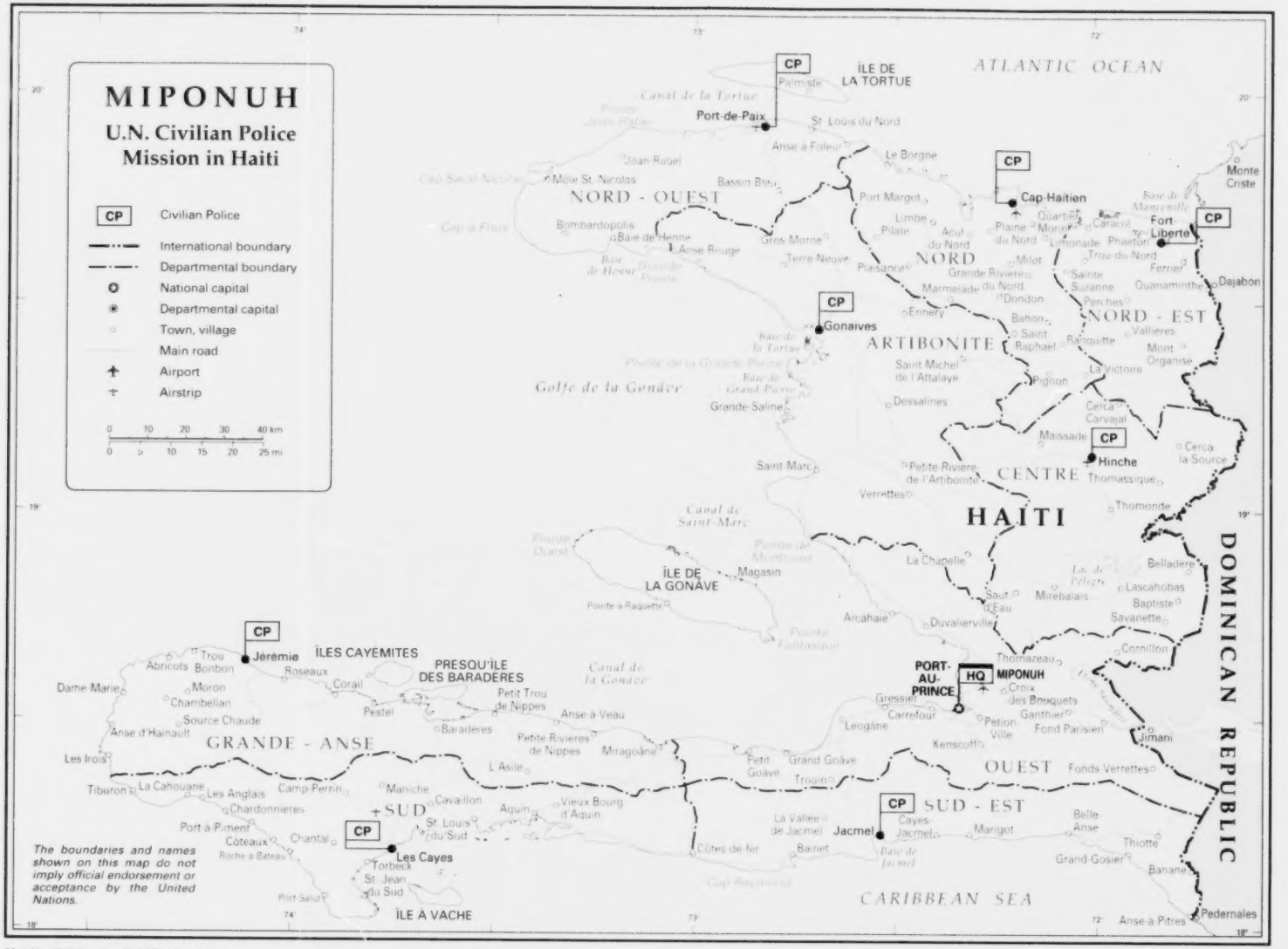
45. I would like to commend my Representative and Head of MIPONUH, Mr. Harston, and the Police Commissioner, Colonel Grudé, as well as the international and local staff under their command, for their continued efforts in support of United Nations activities in Haiti.

46. In conclusion, I would like to pay tribute to the courage and bravery of the 13 men who perished in the helicopter accident of 14 March 1999. They made the ultimate sacrifice while serving the cause of peace.

Annex

Composition of the United Nations Civilian Police Mission in Haiti as at 12 May 1999

Country	Special police unit	Civilian police
Argentina	133	5
Benin		9
Canada		24
France		36
India		-
Mali		20
Niger		5
Pakistan		-
Senegal		8
Togo		7
Tunisia		3
United States of America		30
Subtotal	133	147
Total	280	



Map No. 4042 Rev. 5 UNITED NATIONS
May 1999

Department of Public Information
Cartographic Section

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/580
19 May 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 19 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Acting on instructions from my Government, I have the honour to transmit to you herewith the text of a letter dated 19 May 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, dealing with the incursions that the Turkish army continues to make into northern Iraq, causing much loss of human life and considerable damage to the property of Iraqi citizens who are sons of the Kurdish people and to public facilities. In this letter, the Iraqi Minister for Foreign Affairs asks you to ask the Turkish Government to abide by the principles of the Charter and to withdraw its armed forces immediately from Iraqi territory.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Rokan Hama AL-ANBUGE
Chargé d'affaires a.i.

ANNEX

Letter dated 19 May 1999 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Further to my letter of 12 May 1999, I wish to bring to your attention the following facts: on 16 May 1999, units of the Turkish army consisting of 15,000 soldiers and hundreds of men belonging to village militia, supported by tanks, fighter planes and helicopters, penetrated into Iraqi territory towards the sectors of Mashruk, Batufa, Kani Masi, Kaychan and Matina. These units came from the Uludere region in the Turkish province of Sirnak. Their incursions caused much loss of human life and considerable damage to the property of Iraqi citizens, who are sons of the Kurdish people living in the region, and to public facilities.

The Government of the Republic of Iraq strongly condemns the violations of its territorial integrity and airspace committed by the Turkish army. It urges the Turkish Government to withdraw its troops immediately from within Iraqi territory and to put an end to its practices which are contrary to the rules of good neighbourliness, the principles of international law and the Charter of the United Nations. In addition, it categorically rejects the pretexts and excuses used by Turkey to justify its incursions into northern Iraq. The fact that it wants to chase elements accused of interfering with its security in no way authorizes Turkey to pursue its current policy which is in complete contradiction with the statements it had made regarding its attachment to Iraq's sovereignty and territorial integrity.

The problems which Turkey is having are primarily due to the persistence of the unhealthy situation which the United States and Great Britain have imposed in the region, together with the Turkish Government.

While reserving the right to demand reparation for the injury suffered as a result of the illegal practices described above, the Government of the Republic of Iraq appeals once more to the Government of the Republic of Turkey to put an end to these operations which infringe on Iraq's sovereignty and imperil its security and its integrity. Furthermore, it asks Turkey to demonstrate, by concrete actions, that it respects the rules of good neighbourliness between States.

In the hope that the United Nations will fulfil its responsibilities under the Charter by speaking out against the continuing threats and aggression of which my country is a victim, I urge you to do all within your power to ask the Turkish Government to abide by the principles of the Charter of the United Nations and the rules of international law and to withdraw its armed forces immediately from Iraqi territory.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

Distr.
GENERAL

S/1999/581
19 May 1999
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to bring to your attention the statement by the Presidency of the European Union concerning recent developments in Guinea-Bissau, issued on 18 May 1999.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of
Germany to the United Nations

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Annex

[Original: English and French]

Statement concerning recent developments in Guinea-Bissau, issued on 18 May 1999 by the Presidency of the European Union

The European Union condemns the new outbreak of violence in Guinea-Bissau leading to the deposition of President Vieira in violation of the Abuja Agreement as well as the attacks on diplomatic missions.

The European Union recalls that in relations with partner countries under the Lomé Convention high importance is being attached to the respect of human rights, the rule of law and the observation of democratic principles. The Union will therefore carefully monitor developments in Guinea-Bissau and, in consideration of the mechanisms laid down in the revised Fourth Lomé Convention, draw its own conclusions from the current situation.

The European Union appeals to the Military Junta, the Government and the other authorities of Guinea-Bissau to renew their efforts to promote national reconciliation, reconstruction and development. The Union expects that Guinea-Bissau will return to the process of democratization based on the Constitution of the country and, in that context, take the necessary measures leading to the holding of free and fair presidential and legislative elections in November.

The European Union commends the efforts undertaken by the Economic Community of West African States (ECOWAS) and the ECOWAS Monitoring Group (ECOMOG) to facilitate the reconciliation and peace process in Guinea-Bissau.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the European Free Trade Association (EFTA) countries members of the European Economic Area align themselves with this declaration.

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Security Council

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S/1999/582
19 May 1999

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1999 FROM THE ACTING CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED BY RESOLUTION 661 (1990) CONCERNING THE SITUATION BETWEEN IRAQ AND KUWAIT ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith, pursuant to paragraph 10 of Security Council resolution 1210 (1998), the report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait. The report was adopted by the Committee on 18 May 1999.

(Signed) Fernando Enrique PETRELLA
Acting Chairman
Security Council Committee established
by resolution 661 (1990) concerning the
situation between Iraq and Kuwait

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/...

Annex

Report of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995)

I. INTRODUCTION

1. The present report is submitted to the Security Council pursuant to paragraph 10 of resolution 1210 (1998), in which the Committee was requested, in close coordination with the Secretary-General, to report to the Council prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995). The report, the tenth of its kind, covers the Committee's major activities with regard to the implementation of the above arrangements during the second 90-day period of phase V of the oil-for-food programme after paragraph 1 of resolution 1210 (1998) came into force on 26 November 1998.

II. SALE OF PETROLEUM AND PETROLEUM PRODUCTS

2. Since the beginning of phase V, the export of petroleum from Iraq has proceeded smoothly, with excellent cooperation among the oil overseers, the independent inspection agents (Saybolt), the Iraqi State Oil Marketing Organization and the national oil purchasers.

3. The overseers continue to advise the Committee on the oil pricing mechanisms, oil contract approval and modifications, management of the revenue objective and other pertinent questions related to export and monitoring, under Security Council resolutions 986 (1995), 1175 (1998) and 1210 (1998).

4. On 9 March 1999, the overseers informed the Committee that during the second half of phase V the increase in the total level of exports accompanied by the corresponding increase of exports both from the North and the South had led to an increase in the share of crude oil exported from Mina al-Bakr. The Committee took note of this temporary situation on 22 April 1999 (S/AC.25/1999/CN/15) with the understanding being that the Kirkuk-Yumurtalik pipeline would be used to its maximum capacity and that all efforts would be taken to correct the imbalance without delay. The Committee will review the situation at the end of the period referred to in paragraph 1 of resolution 1210 (1998).

5. As at 10 May 1999, the Committee, acting under the recommendation of the overseers, had reviewed and approved a total of 96 oil contracts for the sale of oil in phase V, involving purchasers from 28 countries. The total quantity of oil approved for export under those contracts is approximately 365 million barrels for phase V. All contracts submitted used the pricing mechanisms approved by the Committee, on the recommendation of the overseers.

6. As at 10 May 1999, 245 liftings, totalling 320.3 million barrels valued at $1,404 million, had been completed. Letters of credit opened for each of the liftings were reviewed and confirmed by the overseers in accordance with the terms and conditions of the approved contracts. About 42 per cent of the liftings were made at Ceyhan, Turkey. At current prices, the total revenue for phase V is estimated to be around $3.9 billion, including the pipeline fees valued at $180 million.

7. The overseers have worked with the independent inspection agents (Saybolt) to ensure the effective monitoring of the relevant oil installations and the liftings. They have received the full cooperation of the Iraqi authorities.

8. Pursuant to paragraph 2 of the procedures of the Committee (S/1996/636), 345 national oil purchasers have been nominated from 53 countries who are authorized to communicate directly with the overseers.

9. Pursuant to paragraph 14 of the procedures of the Committee, the overseers have continued to report to it once a week on the contracts considered by them regarding the sale of petroleum originating in Iraq, including the cumulative quantity and approximate value of petroleum authorized for export. To date, 125 reports have been submitted to the Committee.

III. HUMANITARIAN SUPPLIES TO IRAQ

10. As in previous phases, during the second 90-day period of phase V, the Committee continued to attach high priority to the work of processing contracts for the supply of humanitarian goods to Iraq.

11. As at 14 May 1999, the Secretariat had received 797 applications under phase V for exports of humanitarian supplies to Iraq. Of that total, 7 were subsequently cancelled, 674 were circulated to Committee members for action and 116 were still being processed. Of those sent to the Committee for consideration, 570 were found eligible for payment from the United Nations Iraq Account, totalling approximately $1.19 billion; 28 were still pending under the "no-objection" procedure; and 76, with a total value of $86,977,739, had been placed on hold. For the 570 applications that were found eligible for payment from the Iraq Account, 495 letters of approval were released based on the availability of funds and the remaining 75 were waiting for sufficient funds to become available in the Iraq Account.

12. The Committee intends to review, at a meeting of the Committee to be held in June 1999, those applications that have been put on hold or blocked.

13. The work of goods-arrival confirmation by the United Nations independent inspection agents (Cotecna) has continued according to established procedures, at the four entry points to Iraq at Al-Walid, Trebil, Umm Qasr and Zakho. As in previous phases, the Iraqi authorities have accorded the independent agents full cooperation in their work. During the second half of phase V, 3,161 consignments of humanitarian supplies from previous phases were confirmed as having arrived in Iraq in total or in partial shipments.

IV. MATTERS RELATING TO OIL SPARE PARTS AND EQUIPMENT TO IRAQ

14. In paragraph 2 of resolution 1175 (1998), the Security Council requested the Committee, or a panel of experts appointed by the Committee, to approve contracts for the parts and equipment referred to in paragraph 1 of that resolution according to lists of parts and equipment approved by the Committee for each individual project. In paragraph 3 of the same resolution, the Council decided that up to $300 million from the escrow account might be used for that purpose. The Council reaffirmed the arrangement in paragraph 8 of its resolution 1210 (1998).

15. The Committee has been making continuous efforts to expedite the approval process for contracts for sending oil spare parts and equipment to Iraq in accordance with existing procedures. During the period covered by the present report, the Secretariat received 270 new applications valued at $156,392,150 to ship oil spare parts and equipment to Iraq and circulated 162 applications, including those left from previous resolutions, to the members of the Committee for consideration. A total of 115 applications valued at $55,915,118 were approved during the period, including 18 applications valued at $18,356,166 that were released from previous holds since the Committee's last report. At the same time, 66 contracts valued at $32,250,356 were placed on hold (with 10 of them, valued at $2,404,760, subsequently released from holds). As at 14 May 1999, 49 applications valued at $26,842,254 remained on hold.

16. From the beginning of the process up to 14 May 1999, the number of applications received by the Committee to ship oil spare parts and equipment to Iraq under previous resolutions had reached a total of 792, with a value of $434,633,918. Of those, 638 were circulated to the members of the Committee for consideration; 7 were being reviewed by Committee experts awaiting amendments to the Distribution Plan; 80 were returned to the applicant missions for clarification and 14 were declared null and void. Of the 638 applications circulated, 481, valued at $264,526,444, were approved; 134, valued at $53,915,885, were placed on hold and 23 were pending under the "no-objection" procedure. As at 14 May 1999, 54 such shipments had arrived in Iraq in total or in part.

17. The Committee intends to review in June those contracts for oil parts and equipment that have been placed on hold or have been blocked.

V. OTHER ACTIVITIES

18. The Committee held six formal meetings and a number of informal consultations at the expert level during the reporting period to discuss various issues related to the implementation of the oil-for-food programme. The Committee considered, inter alia, the following issues:

(a) A proposal by the Office of the Iraq Programme regarding the reimbursement of the 53 per cent account from the 13 per cent account for joint purchases of bulk food and medicines. As at 31 March 1999, the accumulated reimbursable balance totalled $147.5 million. The Committee remains actively seized of the issue of reimbursement;

(b) A letter from the Under-Secretary-General for Management concerning the transfer of 1 per cent of the oil sales proceeds from the escrow account established under resolution 986 (1995) for the payment envisaged in paragraph 6 of resolution 778 (1992), as provided in paragraph 8 (g) of resolution 986 (1995). There was general agreement among members of the Committee that the amount for that purpose should be $10 million every 90 days as specified by paragraph 8 (g) of resolution 986 (1995). The Chairman of the Committee addressed a letter to that effect to the Under-Secretary-General for Management on 14 May 1999;

(c) A number of options, within the framework of Security Council resolutions, to resolve the financial issue relating to the Hajj pilgrimage in accordance with paragraph 3 of resolution 1210 (1998). The issue remains unresolved to date;

(d) The situation with regard to the level of stock in central medical warehouses. It was established that the reasons for the stock of pharmaceuticals, medical supplies and medical equipment are multiple and complex. As at 31 March 1999, the level of such stock was valued at $291 million. The Committee will give a follow-up on this review.

VI. CONCLUSIONS

19. The Committee will continue to work in a close cooperation with the Office of the Iraq Programme to ensure the effective implementation of all relevant arrangements under the oil-for-food programme. The Committee wishes to reiterate its appreciation to all parties concerned for their cooperation and contribution in this regard.

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S/1999/583
19 May 1999

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

1. Please find enclosed herewith an editorial that appeared in the Boston Globe on 13 May 1999 entitled "The ugly truth about the attack in Sudan".

2. The paper stated that, on the morning of 21 August 1998, the Al-Shifa pharmaceutical factory was demolished by American cruise missiles. Later that day, President Clinton justified the attack by saying that Al-Shifa was, in fact, a chemical weapons factory linked to Osama bin Laden, and so it was that, on the night of 21 August 1998, Saleh Idris (the owner of the factory), a member in good standing in the international business community, was branded as an international terrorist. The paper also added that "the campaign to defame his good name continues to this day, orchestrated from the offices of President Clinton's National Security Council. It is a despicable campaign, made more so by the fact that every one involved knows that the charges against Idris are false".

3. The paper indicated that, in an interview with ABC News, Mr. Idris explained that he had bought Al-Shifa because of a desire to give something back to the country of his birth. At the time it was destroyed, Al-Shifa supplied more than half of all the medicines consumed in the Sudan, a desperately poor country in need of medicine. The paper went on to mention that, incredibly enough, the Clinton Administration knew none of these facts when it ordered the cruise missile attack. It did not even know that Mr. Idris was the owner of the Al-Shifa factory.

4. The paper also stated that, unencumbered by facts, members of the President's national security team explained the attack as follows:

(a) Al-Shifa was an adjunct to the Sudanese military industrial complex; it was closed to the public, fenced off and heavily guarded by Sudanese military personnel;

(b) A soil sample taken from the plant's premises proved that anthrax was being produced there.

5. The paper clarified that the international press corps quickly made hash of all but the last of these assertions. Al-Shifa was not part of the Sudanese military industrial complex. It was open to the public. There was no fence, and no guards patrolled its grounds "other than the night watchman who was killed in the attack".

6. The paper stated that, being a man of considerable means, the owner hired the law firm of Mr. Akin Gump, "where his good friend and former Democratic National Committee Chairman, Mr. Robert Strauss was a partner", to refute the United States Government's charges. Akin Gump, in turn, hired the private investigative firm of Kroll and Associates to do a complete background check on Mr. Idris. Akin Gump also hired Tom Tullius, chairman of the chemistry department at Boston University, to do a scientific inquiry into whether or not Al-Shifa might have been manufacturing anthrax.

7. The paper went on to say that the investigation by Kroll and Associates exonerated Mr. Idris of any ties, real or imagined to bin Laden. The scientific inquiry concluded that Al-Shifa was not a chemical weapons manufacturing facility and that the United States Government's soil sample was almost certainly a false positive. The net result of these investigations proved to all but senior Clinton Administration officials that bad intelligence and bad science had led to a terribly mistaken bombing mission. On 3 May 1999, the United States Department of the Treasury tacitly admitted as much by unfreezing Mr. Idris's financial assets. The Treasury did so under orders from the Department of Justice, which did so on instructions from the White House.

8. The paper concluded the editorial by saying that it would be better if the United States Government simply confessed its error, apologized to Mr. Idris for its disgraceful conduct, and immediately compensate him for the damage done to his business. "But," the paper stated, "this is the Clinton Administration, and the right thing to do is the last thing it would think of doing".

9. The article is yet another example of the series of articles published by respectable international newspapers, which have highlighted the United States' grave mistake in targeting the pharmaceutical plant.

10. I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Elfatih ERWA
Permanent Representative

Annex

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The ugly truth about attack in Sudan

By John Ellis, Globe Columnist, 05/13/99

On the night of Aug. 20, 1998, Saleh Idris went to bed as a member in good standing of the international business community. He had friends on every continent and held ownership stakes in business enterprises in the Middle East, Europe, and Africa. One of those enterprises was the al-Shifa pharmaceutical packaging plant in the Sudan.

On the morning of Aug. 21, al-Shifa was demolished by American cruise missiles. Later that day, President Clinton justified the attack by saying that al-Shifa was, in fact, a chemical weapons factory linked to Osama bin Laden, the Saudi exile who allegedly masterminded the bombing of Americas embassies in Kenya and Tanzania earlier that month.

And so it was that on the night of Aug. 21, Saleh Idris, member in good standing of the international business community, went to bed branded as an international terrorist. The campaign to defame his good name continues to this day, orchestrated from the offices of President Clinton's National Security Council. It is a despicable campaign, made more so by the fact that everyone involved in it knows that the charges against Idris are false.

Saleh Idris was born in the Sudan and educated in Saudi Arabia. He went into the banking business in Riyadh and prospered. Along the way, he made friends in high places in many countries, including the United States.

In March of 1998, Idris bought al-Shifa. In an interview with Chris Isham of ABC News, Idris said he did so in part because of his desire to give something back to the country of his birth. At the time it was destroyed, al-Shifa supplied more than half of all the medicines consumed in the Sudan, a desperately poor country in desperate need of medicine.

Incredibly enough, the Clinton administration knew none of

these facts when it ordered up the cruise missile attack. It did not even know that Idris was the owner of al-Shifa. Unencumbered by facts, members of the president's national security team explained the attack as follows:

Al-Shifa was an adjunct to the Sudanese military-industrial complex. It was closed to the public, fenced off and heavily guarded by Sudanese military personnel. In addition, a soil sample taken from the plant's premises proved that anthrax was being produced there.

The international press corps quickly made hash of all but the last of these assertions. Al-Shifa was not part of the Sudanese military-industrial complex. It was open to the public. There was no fence, and no guards patrolled its grounds (other than the night watchman who was killed in the attack).

Caught, the administration reconfigured its story. The new, improved version argued that Idris had a web of double-secret business connections to bin Laden that could not be discussed publicly, lest sources and methods be disclosed. These connections combined with the findings from the soil sample merited his designation as a terrorist. Idris's financial assets in the United States were frozen as a result.

Being a man of considerable means, Idris hired the law firm of Akin Gump (where his good friend and former Democratic National Committee Chairman Robert Strauss was a partner) to refute the US government's charges.

Akin Gump, in turn, hired the private investigative firm of Kroll and Associates to do a complete background check on Idris. Akin Gump also hired Tom Tullius, chairman of the chemistry department at Boston University, to do a scientific inquiry into whether or not Al-Shifa might have been manufacturing anthrax.

The Kroll investigation exonerated Idris of any ties, real or imagined, to bin Laden. The scientific inquiry concluded that al-Shifa was not a chemical weapons manufacturing facility and that the US government's soil sample was almost certainly a false positive. The net result of these investigations proved to all but senior Clinton administration officials that bad intelligence and bad science had led to a terribly mistaken bombing mission.

On May 3, 1999, the US Department of the Treasury tacitly admitted as much by unfreezing Idris's financial assets. Treasury did so under orders from the Department of Justice, which did so on instructions from the White House.

But the White House, true to form, continued its attack on Idris's good name. At the same time it was (de facto) lifting Idris's designation as a terrorist, National Security Council staffers told reporters that Idris was in fact a terrorist who maintained reprehensible associations.

Having successfully sued the US government to unfreeze Idris's financial assets, Akin Gump is now planning to sue the US government for compensatory damages (in the amount of $30 million). As surely as the government settled the first case, it will settle the second.

It would be better if the government simply confessed its error, apologized to Idris for its disgraceful conduct, and immediately compensated him for the damage done to his business. But this is the Clinton administration, and the right thing to do is the last thing it would think of doing.

John Ellis is a Globe columnist.

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UNITED NATIONS **S**

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IDENTICAL LETTERS DATED 18 MAY 1999 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have to inform you that violations of Iraq's airspace by United States and British aircraft based in Saudi Arabia, Kuwait and Turkey continued between 8 and 15 May 1999 and that the aircraft in question engaged in acts of aggression, reconnaissance activities and acts of provocation, as set forth in the annex hereto.

You are requested to intervene with the United States, the United Kingdom and the countries that provide the facilities for these acts of aggression, namely Saudi Arabia, Kuwait and Turkey, with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and of international law, pose a threat to the sovereignty and territorial integrity of Iraq.

These actions are continuing to bring death and injury to hundreds of civilians and to cause serious damage to private and public property. The logistic support that Saudi Arabia and Kuwait provide to the United States and British forces makes them key partners in the aggression being committed against Iraq, so that they share international responsibility for the consequences of these actions. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on its people by these same actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Rokan Hama AL-ANBUGE
Chargé d'affaires a.i.

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Annex

Violations by United States and British aircraft and damage caused, 8-15 May 1999

1. In the northern region 106 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 4,500 to 11,000 metres over the following cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Tall Afar, Irbil, Zakho, Baibo, Ayn Zalah, Tall Kayf, Khazar and Bartalah, as well as the Saddam dam area.

2. In the southern region 340 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 11,000 metres over the following Iraqi cities and towns: Nasiriyah, Samawah, Basrah, Amarah, Diwaniyah, Artawi, Jalibah, Salman, Busayyah, Lasaf, Qurnah, Hayy, Ali al-Sharqi, Ali al-Gharbi, Umm Qasr, Afak, Qal'at Salih, Qal'at Sukkar, Najaf, Rifa'i, Shatrah, Ushbayjah, Batha', Suq al-Shuyukh and Maymunah.

3. At 1145 hours on 8 May 1999 United States and British aircraft violated Iraq's airspace in the Umm Qasr area.

4. At 1115 hours on 8 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory and supported by an AWACS aircraft penetrated Iraq's airspace in the northern region. They carried out 19 sorties, overflew the Irbil, Dohuk, Baibo, Tall Afar, Amadiyah, Mosul and Aqrah areas and bombed several services-related installations in the Tall Adhbah, Saddam dam, Khursabad and Wanah areas. The bombing killed and wounded a number of residents in Ninawah Governorate. Our air defences, acting in self-defence, engaged the aircraft and, at 1515 hours, drove them off.

5. At 0940 hours on 8 May 1999 United States and British F-14, F-15 and F-18 aircraft and one EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 sorties, 40 from Saudi airspace and eight from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and overflew the Amarah, Basrah, Nasiriyah, Salman, Qurnah, Shinafiyah, Lasaf, Hayy and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1815 hours, drove them off.

6. At 0910 hours on 9 May 1999 United States and British F-14, F-15, F-16 and F-18 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 48 sorties, 30 from Saudi airspace and 18 from Kuwaiti airspace, were supported by two AWACS command and control aircraft from inside Saudi territory and overflew the Amarah, Basrah, Nasiriyah, Salman, Qurnah, Shinafiyah, Lasaf, Hayy, Artawi, Chabaish, Qal'at Sukkar and Afak areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1815 hours, drove them off.

7. At 0920 hours on 10 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory and supported by an AWACS aircraft penetrated Iraq's airspace in the northern region. They carried out 19 sorties,

and they overflew the Irbil, Dohuk, Baibo, Tall Afar, Amadiyah, Mosul and Aqrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1515 hours, drove them off.

8. At 0945 hours on 10 May 1999 United States and British F-14, F-15, F-16 and Tornado aircraft and one EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 58 sorties, 42 from Saudi airspace and 16 from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and overflew the Diwaniyah, Basrah, Qal'at Salih, Artawi, Nasiriyah, Samawah and Shinafiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1825 hours, drove them off.

9. At 0925 hours on 11 May 1999 United States and British F-14, F-15, F-16 and Tornado aircraft coming from Turkish territory and supported by an AWACS aircraft penetrated Iraq's airspace in the northern region. They carried out 19 sorties, and they overflew the Irbil, Dohuk, Baibo, Tall Afar, Amadiyah, Mosul and Aqrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1325 hours, drove them off.

10. At 0908 hours on 11 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 52 sorties, 38 from Saudi airspace and 14 from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and overflew the Basrah, Qal'at Salih, Salman, Nasiriyah, Samawah, Artawi, Qurnah, Rifa'i, Maymunah, Jalibah and Qal'at Sukkar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1825 hours, drove them off.

11. At 0920 hours on 12 May 1999 United States and British F-14, F-15 and F-16 aircraft and one EA-6B aircraft coming from Turkish territory and supported by an AWACS aircraft penetrated Iraq's airspace in the northern region. They carried out 21 sorties, and they overflew the Irbil, Zakho, Dohuk, Baibo, Tall Afar, Amadiyah, Mosul and Aqrah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1315 hours, drove them off.

12. At 1020 hours on 12 May 1999 United States and British aircraft violated Iraq's airspace in the Umm Qasr area.

13. At 1430 hours on 13 May 1999 United States and British aircraft violated Iraq's airspace in the Umm Qasr area.

14. At 1410 hours on 13 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 34 sorties, 14 from Saudi airspace and 20 from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and overflew the Basrah, Salman, Nasiriyah, Suq al-Shuyukh, Artawi, Shinafiyah, Ushbayjah and Qal'at Salih areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1545 hours, drove them off.

15. At 0915 hours on 14 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 47 sorties, 27 from Saudi airspace and 20 from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and an E-2C aircraft from inside Kuwaiti airspace and overflew the Diwaniyah, Salman, Nasiriyah, Samawah, Artawi, Basrah, Ali al-Gharbi and Ali al-Sharqi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1654 hours, drove them off.

16. At 1000 hours on 15 May 1999 United States and British F-14, F-15 and F-16 aircraft coming from Turkish territory and supported by an AWACS aircraft penetrated Iraq's airspace in the northern region. They carried out 23 sorties, and they overflew the Dohuk, Tall Afar, Mosul, Rawanduz and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1340 hours, drove them off.

17. At 0925 hours on 15 May 1999 United States and British F-14, F-15, F-16 and F-18 aircraft and one EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 53 sorties, 37 from Saudi airspace and 16 from Kuwaiti airspace, were supported by an AWACS command and control aircraft from inside Saudi territory and overflew the Busayyah, Shatrah, Nasiriyah, Samawah, Artawi, Khidr, Shinafiyah, Ushbayjah, Chabaish, Hayy and Qal'at Sukkar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1625 hours, drove them off.

18. At 1800 hours on 15 May 1999 Kuwaiti naval craft No. L 401, bearing the name Al-Sumud, intercepted an Indian boat named Al-Shammah near buoy 19 in the Khawr Abd Allah waterway as it was heading towards Khawr al-Zubayr. The boat was searched and, after some time, the members of the crew were released.

UNITED NATIONS **S**

Security Council

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LETTER DATED 19 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF TOGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the text of the agreement on ceasefire in Sierra Leone signed in Lomé on 18 May 1999 by Alhadji Dr. Ahmad Tejan Kabbah, President of the Republic of Sierra Leone, and Corporal Foday Saybana Sankoh, Leader of the Revoluticnary United Front (RUF), witnessed by His Excellency Mr. Gnassingbe Eyadema, President of the Togolese Republic, current Chairman of the Economic Community of West African States (ECOWAS), and representatives of the United Nations, the Organization of African Unity and the Government of the United States of America (see annex).

I should be grateful if you would have this letter and the text of the agreement circulated as a document of the Security Council.

(Signed) Roland Y. KPOTSRA

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Annex

Agreement on ceasefire in Sierra Leone

[Original: English and French]

President Ahmed Tejan Kabbah and Reverend Jesse Jackson met on 18 May 1999 with Corporal Foday Saybana Sankoh, under the auspices of President Gnassingbe Eyadema. At that meeting, the question of the peace process for Sierra Leone was discussed.

* * *

The Government of the Republic of Sierra Leone and the Revolutionary United Front of Sierra Leone (RUF/SL),

- Desirous to promote the ongoing dialogue process with a view to establishing durable peace and stability in Sierra Leone; and

- Wishing to create an appropriate atmosphere conducive to the holding of peace talks in Lomé, which began with the RUF internal consultations to be followed by dialogue between the Government and RUF;

Have jointly decided to:

1. Agree to ceasefire as from 24 May 1999, the day that President Eyadema invited Foreign Ministers of ECOWAS to discuss problems pertaining to Sierra Leone. It was further agreed that the dialogue between the Government of Sierra Leone and RUF would commence on 25 May 1999;

2. Maintain their present and respective positions in Sierra Leone as of 24 May 1999; and refrain from any hostile or aggressive act which could undermine the peace process;

3. Commit to start negotiations in good faith, involving all relevant parties in the discussions, not later than 25 May in Lomé;

4. Guarantee safe and unhindered access by humanitarian organizations to all people in need; establish safe corridors for the provision of food and medical supplies to ECOMOG soldiers behind RUF lines, and to RUF combatants behind ECOMOG lines;

5. Immediate release of all prisoners of war and non-combatants;

6. Request the United Nations, subject to the Security Council's authorization, to deploy military observers as soon as possible to observe compliance by the Government forces (ECOMOG and Civil Defence Forces) and the RUF, including former AFRC forces, with this ceasefire agreement.

This agreement is without prejudice to any other agreement or additional protocols which may be discussed during the dialogue between the Government and RUF.

Signed in Lomé (Togo), 18 May 1999, in six (6) originals in English and French.

For the Government of
Sierra Leone

Alhadji Dr. Ahmad Tejan KABBAH
President of the Republic of
Sierra Leone

For the Revolutionary United
Front of Sierra Leone

Corporal Foday Saybana SANKOH
Leader of the Revolutionary United
Front (RUF)

Witnessed by:

For the Government of Togo and
Current Chairman of ECOWAS

Gnassingbe EYADEMA
President of the Togolese Republic

For the United Nations

Francis G. OKELO
Special Representative of the
Secretary-General for Sierra Leone

For the Organization of African
Unity (OAU)

Adwoa COLEMAN
Representative of the Organization
of African Unity

United States Presidential Special
Envoy for the Promotion of Democracy
in Africa

Reverend Jesse JACKSON